

Appl. No. 10/807,724

Amdt. Dated August 2, 2005

Reply to Office Action of May 6, 2005

REMARKS

This is a full and timely response to the non-final Office action mailed May 6, 2005. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-20 are pending in this application, with Claims 1, 6, and 17 being the independent claims. Claims 6 and 17 have been amended. No new matter is believed to have been added.

Rejections Under 35 U.S.C. § 102

Claims 1, 5-9, and 13-14 are rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 3,008,786 ("Costello"). This rejection is respectfully traversed.

The Office Action alleges that Costello discloses a wedge-shape member (20-21) that comprises a first plate (35), a second plate (35) and one or more reinforcing members (21) coupled between the first plate and the second plate and substantially perpendicular to the first plate and second plate. This is not the case.

Costello relates to a dynamoelectric machine construction for maintaining and cooling salient pole windings of a salient pole rotor in a synchronous machine. The machine includes, as shown in FIGs. 1 and 2, a wedge (20) that has two walls that form a v-shaped component and a top stick (21) that is laid over the top of the v-shaped component to act as a third wall. However, it is clear in FIGs. 1 and 2 that the wedge (20) and top stick (21) together form a triangular tube and that the top stick (21) is not substantially perpendicular to the first plate and the second plate. Moreover, the Examiner cannot point to any other section or drawing of Costello that discusses reinforcing cross members that are substantially perpendicular to first and second plates.

A claim can only be anticipated if each and every element recited in the claim is disclosed in a reference, either explicitly or impliedly. Accordingly, as Costello fails to disclose, either explicitly or inherently, at least the above-noted element of claims 1 and 6 and the Examiner has failed to provide such an explicit or inherent disclosure of this element, it is respectfully submitted that the rejection of these claims and the claims that

Appl. No. 10/807,724

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depend therefrom is improper and the Applicants request withdrawal of the § 102(e) rejection.

Claim 5 depends from claim 1 and claims 7-9, 13 and 14 depend from claim 6. Therefore, the Applicants rely on the arguments above for these dependent claims.

Rejections Under 35 U.S.C. § 103

Claim 16 has been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Costello in view of U.S. Patent No. 6,113,024 ("Pittard"). This rejection is respectfully traversed.

Claim 16 depends from claim 6 and relies on the arguments presented above relating thereto. Moreover, Pittard does not make up for the deficiencies of Costello. Pittard teaches a v-shaped support wedge positioned between rotor poles, however, nowhere does Pittard mention or remotely suggest a generator having cross members that are substantially perpendicular to first and second plates.

Claims 1-15 and 17-20 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 6,054,790 ("Kjeer") in view of U.S. Patent No. 2,400,576 ("Sigmund"). This rejection is respectfully traversed.

Kjeer relates to a V-block 24 with a preselected shape defining a preselected included angle between a pair of V-block side portions 26, 28. See abstract. The V-block includes an apex end portion 30 at a connection of the pair of side portions 26, 28 and a strut end portion 32. Sigmund relates to a deposition of rubber on the windings of magnetizable cores and teaches the use of a porous wedge 48 for use in a dynamo-electric machine. See col. 3, ll. 9 – 15. However, neither Kjeer nor Sigmund teaches or suggests reinforcing members that are substantially perpendicular to first and second plates, as recited in claims 1, 6, and 17.

The three basic criteria necessary to establish a prima facie case of obviousness are: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the

Appl. No. 10/807,724

Amdt. Dated August 2, 2005

Reply to Office Action of May 6, 2005

reference or combine reference teachings, (2) there must be a reasonable expectation of success, and (3) the prior art reference or references must teach or suggest all the claim limitations. However, it is respectfully submitted that neither Kjeer nor Sigmund, alone or in combination disclose all the claim limitations of at least independent claims 1, 6, and 17. For example, Kjeer and Sigmund fail to disclose, teach or suggest reinforcing cross members that are substantially perpendicular to first and second plates as recited in claims 1, 6, and 17. Accordingly, as Kjeer and Sigmund fail to disclose, either explicitly or inherently, at least the above-noted element of claims 1, 6, and 17 and the Examiner has failed to provide such an explicit or inherent disclosure of this element, it is respectfully submitted that the rejection of these claims and the claims that depend therefrom is improper and the Applicants request withdrawal of the § 103 rejection.

Claims 2-5 depend from claim 1, claims 7-15 depend from claim 6, and claims 18-20 depend from claim 17. Each of these dependent claims relies on the arguments presented above.

Claim 16 has been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Kjeer and Sigmund in view of Pittard. This rejection is respectfully traversed.

Claim 16 depends from claim 6 and relies on the arguments presented above relating thereto. Moreover, Pittard does not make up for the deficiencies of Kjeer and Sigmund. In particular, no where does Pittard mention or remotely suggest a generator having reinforcing members that are substantially perpendicular to first and second plates.

Conclusion

Based on the above, independent Claims 1, 6, and 17 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

Appl. No. 10/807,724

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The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

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